General Assembly

Distr.: General
10 January 2008

Sixty-second session
Agenda item 29

Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/401)*]

62/99. Assistance in mine action*

The General Assembly,

Recalling its resolution 60/97 of 8 December 2005 and all its previous resolutions on assistance in mine clearance and on assistance in mine action, all adopted without a vote,

Recalling also all relevant treaties and conventions[1] and their review processes,

Taking special note of the tenth anniversary of the creation of the United Nations Mine Action Service within the Department of Peacekeeping Operations of the Secretariat, its designation as the focal point for mine action within the United Nations system, and its ongoing collaboration with and coordination of all mine-related activities of United Nations agencies, funds and programmes,[2]

Noting with appreciation the extent to which the International Day for Mine Awareness and Assistance in Mine Action has been commemorated worldwide,

Reaffirming its deep concern at the tremendous humanitarian and development problems caused by the presence of mines and explosive remnants of war[3] that have serious and lasting social and economic consequences for the populations of countries affected by mines and explosive remnants of war,

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* As referred to in previous resolutions of the General Assembly on assistance in mine clearance and on assistance in mine action.

[1] These include the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, 1997; the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices, as amended in 1996 (Protocol II to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects); the Protocol on Explosive Remnants of War, 2003 (Protocol V to the 1980 Convention); the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977; and the Convention on the Rights of Persons with Disabilities, 2006 (not yet in force).

[2] See resolution 53/26, para. 9.

[3] As defined by Protocol V to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

Bearing in mind the serious threat that mines and explosive remnants of war pose to the safety, health and lives of local civilian populations, as well as of personnel participating in humanitarian, peacekeeping and rehabilitation programmes and operations,

Deeply alarmed by the number of mines that continue to be laid each year as well as the presence of a decreasing but still very large number of, and area of square kilometres infested by, mines and explosive remnants of war as a result of armed conflicts, and therefore remaining convinced of the necessity and urgency of strengthening mine-action efforts by the international community with a view to eliminating the threat of landmines and explosive remnants of war to civilians as soon as possible,

Recognizing that, in addition to the primary role of States, the United Nations has a significant role to play in the field of assistance in mine action, and considering mine action to be an important and integrated component of United Nations humanitarian and development activities, as well as noting the integration of mine action in numerous United Nations peacekeeping operations,

Stressing the need to convince mine-affected States to halt new deployments of anti-personnel mines in order to ensure the effectiveness and efficiency of mine-clearance operations,

Stressing also the pressing need to urge non-State actors to halt immediately and unconditionally new deployments of mines and other associated explosive devices,

1. *Takes note* of the report of the Secretary-General on assistance in mine action;[4]

2. *Calls*, in particular, for the continuation of the efforts of States, with the assistance of the United Nations and relevant organizations involved in mine action, as appropriate, to foster the establishment and development of national mine-action capacities in countries in which mines and explosive remnants of war constitute a serious threat to the safety, health and lives of the local civilian population or an impediment to social and economic development efforts at the national and local levels;

3. *Urges* all States, in particular those that have the capacity to do so, as well as the United Nations system and relevant organizations and institutions involved in mine action, as appropriate, to provide:

(*a*) Assistance to countries affected by mines and explosive remnants of war for the establishment and development of national mine-action capacities;

(*b*) Support for national programmes, where appropriate, in cooperation with the relevant bodies of the United Nations system and relevant regional, governmental and non-governmental organizations, to reduce the risks posed by landmines and explosive remnants of war, taking into consideration the differing impacts on women, men, girls and boys;

(*c*) Reliable, predictable and timely contributions for mine-action activities, including through national mine-action efforts and mine-action programmes of non-governmental organizations, including those relating to victim assistance and mine risk education, especially at the local level, as well as through the United

[4] A/62/307 and Corr.3.

Nations Voluntary Trust Fund for Assistance in Mine Action and relevant regional trust funds for assistance in mine action;

(*d*) Necessary information and technical, financial and material assistance to locate, remove, destroy and otherwise render ineffective minefields, mines, booby traps, other devices and explosive remnants of war, in accordance with international law, as soon as possible;

(*e*) Technological assistance (i) to countries affected by mines and explosive remnants of war; and (ii) to promote user-oriented scientific research on and development of mine-action techniques and technology that are effective, sustainable, appropriate and environmentally sound;

4. *Encourages* efforts to conduct all mine-action activities in accordance with the International Mine Action Standards (IMAS) or IMAS-compliant national standards, and emphasizes the importance of using an information management system, such as the Information Management System for Mine Action, to help facilitate mine-action activities;

5. *Urges* all mine-affected States, pursuant to applicable international law, to identify all areas under their jurisdiction containing mines and other explosive remnants of war in the most efficient manner possible, including, where appropriate, through the use of area reduction;

6. *Encourages* affected States to proactively mainstream mine action and victim assistance requirements into development plans and processes to ensure that development priorities include mine action and that mine action is predictably funded;

7. *Encourages* all relevant multilateral, regional and national programmes and bodies to include, in coordination with the United Nations, activities related to mine action, including mine clearance, in their humanitarian, rehabilitation, reconstruction and development assistance activities, where appropriate, bearing in mind the need to ensure national and local ownership, sustainability and capacity-building, as well as to include a gender and age-appropriate perspective in all aspects of such activities;

8. *Stresses* the importance of cooperation and coordination in mine action, and emphasizes the primary responsibility of national authorities in that regard, also stresses the supporting role of the United Nations and other relevant organizations in that regard, and underlines the need for continuous assessment of the role of the United Nations in mine action;

9. *Recognizes* the importance of explicitly incorporating references to mine action, when appropriate, in ceasefire and peace agreements in light of the potential that mine action can have as a peace and confidence-building measure in post-conflict situations among parties concerned;

10. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution and on follow-up to previous resolutions on assistance in mine clearance and on assistance in mine action, including on relevant United Nations policies and activities;

11. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Assistance in mine action".

75th plenary meeting
17 December 2007

General Assembly

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Sixty-second session
Agenda item 30

Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/402)*]

62/100. Effects of atomic radiation

The General Assembly,

Recalling its resolution 913 (X) of 3 December 1955, by which it established the United Nations Scientific Committee on the Effects of Atomic Radiation, and its subsequent resolutions on the subject, including resolution 61/109 of 14 December 2006, in which, inter alia, it requested the Scientific Committee to continue its work,

Taking note with appreciation of the work of the Scientific Committee, and of the release of its report on its fifty-fifth session,[1]

Reaffirming the desirability of the Scientific Committee continuing its work,

Concerned about the potentially harmful effects on present and future generations resulting from the levels of radiation to which mankind and the environment are exposed,

Noting the views expressed by Member States at its sixty-second session with regard to the work of the Scientific Committee,

Noting also the deep concern of the Scientific Committee that reliance on a single post at the Professional level in its secretariat has left the Committee seriously vulnerable and has hampered the efficient implementation of its approved programme of work,

Conscious of the continuing need to examine and compile information about atomic and ionizing radiation and to analyse its effects on mankind and the environment,

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution it has been making in the course of the past fifty-two years, since its inception, to wider knowledge and understanding of the levels, effects and risks of ionizing radiation, and for fulfilling its original mandate with scientific authority and independence of judgement;

[1] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 46* (A/62/46).

2. *Reaffirms* the decision to maintain the present functions and independent role of the Scientific Committee;

3. *Requests* the Scientific Committee to continue its work, including its important activities to increase knowledge of the levels, effects and risks of ionizing radiation from all sources;

4. *Endorses* the intentions and plans of the Scientific Committee for completing its present programme of work of scientific review and assessment on behalf of the General Assembly and for developing a longer-term strategic plan for its work, and requests the Committee to submit plans for its future programme of work to the General Assembly at its sixty-third session;

5. *Requests* the Scientific Committee to continue at its next session the review of the important problems in the field of ionizing radiation and to report thereon to the General Assembly at its sixty-third session;

6. *Recalls* the intention of the Scientific Committee, expressed in paragraph 5 of its report to the General Assembly at its sixty-first session,[2] to clarify further the assessment of potential harm owing to chronic low-level exposures among large populations and also the attributability of health effects, and encourages the Committee to submit a report on that issue at its earliest convenience;

7. *Emphasizes* the need for the Scientific Committee to hold regular sessions on an annual basis so that its report can reflect the latest developments and findings in the field of ionizing radiation and thereby provide updated information for dissemination among all States, and endorses, on an exceptional basis, the intention of the Committee to convene its fifty-sixth session for seven days in order to finalize its next substantive report;

8. *Expresses its appreciation* for the assistance rendered to the Scientific Committee by Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations, and invites them to increase their cooperation in this field;

9. *Invites* the Scientific Committee to continue its consultations with scientists and experts from interested Member States in the process of preparing its future scientific reports, and requests the Secretariat to facilitate such consultations;

10. *Welcomes*, in this context, the readiness of Member States to provide the Scientific Committee with relevant information on the effects of ionizing radiation in affected areas, and invites the Committee to analyse and give due consideration to such information, particularly in the light of its own findings;

11. *Invites* Member States, the organizations of the United Nations system and non-governmental organizations concerned to provide further relevant data about doses, effects and risks from various sources of radiation, which would greatly help in the preparation of future reports of the Scientific Committee to the General Assembly;

12. *Requests* the United Nations Environment Programme to continue providing support for the effective conduct of the work of the Scientific Committee

[2] Ibid., *Sixty-first Session, Supplement No. 46* and corrigendum (A/61/46 and Corr.1).

and for the dissemination of its findings to the General Assembly, the scientific community and the public;

13. *Appeals* to the Secretary-General to take appropriate administrative measures so that the secretariat can adequately service the Scientific Committee in a predictable and sustainable manner and effectively facilitate the use of the invaluable expertise offered to the Committee by its members in order that the Committee may discharge the responsibilities and mandate entrusted to it by the General Assembly;

14. *Urges* the United Nations Environment Programme to review and strengthen the present funding of the Scientific Committee, pursuant to paragraph 13 of resolution 61/109, and to continue to seek out and consider temporary funding mechanisms to complement existing ones, and, in that context, takes note of the establishment by the Executive Director of the United Nations Environment Programme of a general trust fund to receive and manage voluntary contributions to support the work of the Scientific Committee, and encourages Member States to consider making voluntary contributions to the trust fund;

15. *Welcomes* that Belarus, Finland, Pakistan, the Republic of Korea, Spain and Ukraine have informed the President of the General Assembly before 28 February 2007, in accordance with paragraph 14 of resolution 61/109, of their desire to become members of the Scientific Committee, and invites each of those six Member States to designate one scientist to attend, as observers, the fifty-sixth session of the Committee;

16. *Requests* the Secretary-General to provide a comprehensive and consolidated report to the General Assembly at its sixty-third session, to be prepared in consultation with the Scientific Committee as appropriate, addressing the financial and administrative implications of increased Committee membership, staffing of the professional secretariat and methods to ensure sufficient, assured and predictable funding.

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Agenda item 31

Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/403)*]

62/101. Recommendations on enhancing the practice of States and international intergovernmental organizations in registering space objects

The General Assembly,

Recalling the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies[1] (Outer Space Treaty), in particular articles VIII and XI,

Recalling also the Convention on Registration of Objects Launched into Outer Space,[2]

Recalling further its resolution 1721 B (XVI) of 20 December 1961,

Recalling its resolution 41/66 of 3 December 1986,

Taking note of the relevant parts of the report of the Committee on the Peaceful Uses of Outer Space on its fiftieth session[3] and the report of the Legal Subcommittee on its forty-sixth session, in particular the conclusions of the Working Group on the Practice of States and International Organizations in Registering Space Objects, annexed to the report of the Legal Subcommittee,[4]

Noting that nothing in the conclusions of the Working Group or in the present resolution constitutes an authoritative interpretation of or a proposed amendment to the Registration Convention,

Bearing in mind the benefits for States of becoming parties to the Registration Convention and that, by acceding to, implementing and observing the provisions of the Registration Convention, States:

(*a*) Enhance the utility of the Register of Objects Launched into Outer Space established under article III of the Registration Convention, in which information

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[1] United Nations, *Treaty Series*, vol. 610, No. 8843.

[2] Ibid., vol. 1023, No. 15020.

[3] *Official Records of the General Assembly, Sixty-second Session, Supplement No 20* (A/62/20), paras. 209–215.

[4] See A/AC.105/891, annex III, appendix.

furnished by States and international intergovernmental organizations conducting space activities that have declared their acceptance of the rights and obligations under the Registration Convention is recorded;

(*b*) Benefit from additional means and procedures that assist in the identification of space objects, including, in particular, in accordance with article VI of the Registration Convention,

Noting that States parties to the Registration Convention and international intergovernmental organizations conducting space activities, having declared their acceptance of the rights and obligations under the Convention, shall furnish information to the Secretary-General in accordance with the Convention and shall establish an appropriate registry and inform the Secretary-General of the establishment of such a registry in accordance with the Convention,

Considering that universal accession to and acceptance, implementation and observance of the provisions of the Registration Convention:

(*a*) Lead to increased establishment of appropriate registries;

(*b*) Contribute to the development of procedures and mechanisms for the maintenance of appropriate registries and the provision of information to the Register of Objects Launched into Outer Space;

(*c*) Contribute to common procedures, at the national and international levels, for registering space objects with the Register;

(*d*) Contribute to uniformity with regard to the information to be furnished and recorded in the Register concerning space objects listed in the appropriate registries;

(*e*) Contribute to the receipt of and recording in the Register of additional information concerning space objects on the appropriate registries and information on objects that are no longer in Earth orbit,

Noting that changes in space activities since the Registration Convention entered into force include the continuous development of new technologies, an increase in the number of States carrying out space activities, an increase in international cooperation in the peaceful uses of outer space and an increase in activities carried out by non-governmental entities, as well as partnerships formed by non-governmental entities from more than one country,

Desirous of achieving the most complete registration of space objects,

Desirous also of enhancing adherence to the Registration Convention,

1. *Recommends*, with regard to adherence to the Registration Convention,[2] that:

(*a*) States that have not yet ratified or acceded to the Registration Convention should become parties to it in accordance with their domestic law and, until they become parties, furnish information in accordance with General Assembly resolution 1721 B (XVI);

(*b*) International intergovernmental organizations conducting space activities that have not yet declared their acceptance of the rights and obligations under the Registration Convention should do so in accordance with article VII of the Convention;

2. *Also recommends*, with regard to the harmonization of practices, that:

(*a*) Consideration should be given to achieving uniformity in the type of information to be provided to the Secretary-General on the registration of space objects, and such information could include, inter alia:

(i) The Committee on Space Research international designator, where appropriate;

(ii) Coordinated Universal Time as the time reference for the date of launch;

(iii) Kilometres, minutes and degrees as the standard units for basic orbital parameters;

(iv) Any useful information relating to the function of the space object in addition to the general function requested by the Registration Convention;

(*b*) Consideration should be given to the furnishing of additional appropriate information to the Secretary-General on the following areas:

(i) The geostationary orbit location, where appropriate;

(ii) Any change of status in operations (inter alia, when a space object is no longer functional);

(iii) The approximate date of decay or re-entry, if States are capable of verifying that information;

(iv) The date and physical conditions of moving a space object to a disposal orbit;

(v) Web links to official information on space objects;

(*c*) States conducting space activities and international intergovernmental organizations that have declared their acceptance of the rights and obligations under the Registration Convention should, when they have designated focal points for their appropriate registries, provide the Office for Outer Space Affairs of the Secretariat with the contact details of those focal points;

3. *Further recommends*, in order to achieve the most complete registration of space objects, that:

(*a*) Due to the complexity of the responsibility structure in international intergovernmental organizations conducting space activities, a solution should be sought in cases where an international intergovernmental organization conducting space activities has not yet declared its acceptance of the rights and obligations under the Registration Convention, and a general backup solution should be provided for registration by international intergovernmental organizations conducting space activities in cases where there is no consensus on registration among the States members of such organizations;

(*b*) The State from whose territory or facility a space object has been launched should, in the absence of prior agreement, contact States or international intergovernmental organizations that could qualify as "launching States" to jointly determine which State or entity should register the space object;

(*c*) In cases of joint launches of space objects, each space object should be registered separately and, without prejudice to the rights and obligations of States, space objects should be included, in accordance with international law, including the relevant United Nations treaties on outer space, in the appropriate registry of the

State responsible for the operation of the space object under article VI of the Outer Space Treaty;[1]

(*d*) States should encourage launch service providers under their jurisdiction to advise the owner and/or operator of the space object to address the appropriate States on the registration of that space object;

4. *Recommends* that, following the change in supervision of a space object in orbit:

(*a*) The State of registry, in cooperation with the appropriate State according to article VI of the Outer Space Treaty, could furnish to the Secretary-General additional information, such as:

(i) The date of change in supervision;

(ii) The identification of the new owner or operator;

(iii) Any change of orbital position;

(iv) Any change of function of the space object;

(*b*) If there is no State of registry, the appropriate State according to article VI of the Outer Space Treaty could furnish the above information to the Secretary-General;

5. *Requests* the Office for Outer Space Affairs:

(*a*) To make available to all States and international intergovernmental organizations a model registration form reflecting the information to be provided to the Office for Outer Space Affairs, to assist them in their submission of registration information;

(*b*) To make public, through its website, the contact details of the focal points;

(*c*) To establish web links on its website to the appropriate registries that are available on the Internet;

6. *Recommends* that States and international intergovernmental organizations should report to the Office for Outer Space Affairs on new developments relating to their practice in registering space objects.

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Agenda item 32

Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/404)*]

62/102. Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 61/112 of 14 December 2006,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further relevant Security Council resolutions,

Aware of the fact that, for nearly six decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for more than fifty-seven years since its establishment in ameliorating the plight of the Palestine refugees through its provision of education, health, relief and social services and emergency assistance,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2006,[1]

Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socio-economic living conditions,

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[1] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 13* (A/62/13); and ibid., *Supplement No. 13A* (A/62/13/Add.1).

Expressing grave concern in particular at the humanitarian situation in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization [2] and the subsequent implementation agreements,

Aware of the important role to be played in the peace process by the Multilateral Working Group on Refugees of the Middle East peace process,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2008;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services for the well-being and human development of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the Agency, including with regard to increased expenditures arising from the continuing deterioration of the socio-economic and humanitarian situation in the region, particularly in the Occupied Palestinian Territory, and those mentioned in recent emergency appeals;

5. *Decides* to extend the mandate of the Agency until 30 June 2011, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III).

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[2] A/48/486-S/26560, annex.

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Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/404)*]

62/103. Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 61/113 of 14 December 2006,[1]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2006,[2]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[3] with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[3] on the return of displaced persons has not

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[1] A/62/282.

[2] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 13* (A/62/13); and ibid., *Supplement No. 13A* (A/62/Add.1).

[3] A/48/486-S/26560, annex.

been complied with, and stresses the necessity for an accelerated return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its sixty-third session on the progress made with regard to the implementation of the present resolution.

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Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/404)*]

62/104. Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 61/114 of 14 December 2006,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2006,[1]

Taking note of the letter dated 17 June 2007 from the Chairperson of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[2]

Deeply concerned about the critical financial situation of the Agency, as well as about the rising expenditures of the Agency resulting from the deterioration of the socio-economic and humanitarian conditions in the region and their significant negative impact on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[3]

Recalling also the Convention on the Safety of United Nations and Associated Personnel,[4]

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[1] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 13* (A/62/13); and ibid., *Supplement No. 13A* (A/62/13/Add.1).

[2] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 13* (A/62/13), p. ix.

[3] Resolution 22 A (I).

[4] United Nations, *Treaty Series*, vol. 2051, No. 35457.

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[5] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely Jordan, Lebanon and the Syrian Arab Republic,

Gravely concerned about the extremely difficult living conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, resulting, inter alia, from the loss of life and injury, the extensive destruction of their shelters, properties and vital infrastructure, the displacement of the Palestine refugees, the prolonged closures and socio-economic decline,

Aware of the extraordinary efforts being undertaken by the Agency for the repair or rebuilding of thousands of damaged or destroyed refugee shelters and for the provision of shelter and emergency aid for those refugee families internally displaced as a result of Israeli military actions, as well as for those refugees affected and displaced by the recent crisis in the Nahr el-Bared refugee camp in northern Lebanon,

Aware also of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the endangerment of the safety of the Agency's staff and about the damage caused to the facilities of the Agency as a result of Israeli military operations during the reporting period,

Deploring the killing of fourteen Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000 and of one Agency staff member by the Israeli air force in Lebanon in August 2006,

Also deploring the killing and wounding of refugee children, including in the Agency's schools, by the Israeli occupying forces,

Expressing deep concern about the policies of closure and severe restrictions that continue to be imposed on the movement of persons and goods and the continued construction of the wall, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem, which have gravely impacted the socio-economic situation of the Palestine refugees and have greatly contributed to the dire humanitarian crisis facing the Palestinian people,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide its essential basic and emergency services,

Recalling the signing, on 13 September 1993, of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the Palestine Liberation Organization[6] and the subsequent implementation agreements,

Aware of the agreement between the Agency and the Government of Israel,

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[5] Ibid., vol. 75, No. 973.

[6] A/48/486-S/26560, annex.

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[7]

1. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions during the past year;

2. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

3. *Takes note with appreciation* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East[8] and its efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

4. *Commends* the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2008–2009,[9] and the organizational reform measures being undertaken to modernize and strengthen the Agency's management and its ability to address the needs of the Palestine refugees;

5. *Endorses*, meanwhile, the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are internally displaced and in serious need of continued assistance as a result of recent incursions in the Occupied Palestinian Territory and hostilities in Lebanon;

6. *Acknowledges* the important support provided by the host Governments to the Agency in the discharge of its duties;

7. *Encourages* the Agency to make further progress in addressing the needs and rights of children in its operations in accordance with the Convention on the Rights of the Child;[10]

8. *Also encourages* the Agency to also make further progress in addressing the needs and rights of women in accordance with the Convention on the Elimination of All Forms of Discrimination against Women;[11]

9. *Expresses concern* about the temporary relocation of the international staff of the Agency from its headquarters in Gaza City and the disruption of operations at the headquarters due to the deterioration and instability of the situation on the ground;

10. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

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[7] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

[8] A/62/361.

[9] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 13A* (A/62/13/Add.1).

[10] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[11] Ibid., vol. 1249, No. 20378.

11. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

12. *Urges* the Government of Israel to speedily compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side and to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained by the Agency as a result of delays and restrictions on movement and access imposed by Israel;

13. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which affect the Agency's operations detrimentally;

14. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

15. *Affirms* that the functioning of the Agency remains essential in all the fields of operation;

16. *Notes* the success of the Agency's microfinance and microenterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all the fields of operation;

17. *Reiterates its request* to the Commissioner-General to proceed with the modernization of the archives of the Agency through the Palestine Refugee Records Project, and to indicate progress in her report to the General Assembly at its sixty-third session;

18. *Reiterates its previous appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

19. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, exacerbated by the current humanitarian situation on the ground that has resulted in rising expenditures, in particular with regard to emergency services, and to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation.

75th plenary meeting
17 December 2007

General Assembly

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Agenda item 32

Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/404)*]

62/105. Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 61/115 of 14 December 2006,[1]

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2006 to 31 August 2007,[2]

Recalling that the Universal Declaration of Human Rights[3] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[4] and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

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[1] A/62/312.

[2] See A/62/181.

[3] Resolution 217 A (III).

[4] *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993, [5] to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its sixty-third session on the implementation of the present resolution.

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[5] A/48/486-S/26560, annex.

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Agenda item 33

Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/405)*]

62/106. Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[2] and the International Covenants on Human Rights,[3]

Recalling its relevant resolutions, including resolutions 2443 (XXIII) of 19 December 1968 and 61/116 of 14 December 2006, and the relevant resolutions of the Commission on Human Rights and the Human Rights Council,

Recalling also the relevant resolutions of the Security Council,

Taking into account the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[4] and recalling in this regard General Assembly resolution ES-10/15 of 20 July 2004,

Convinced that occupation itself represents a gross and grave violation of human rights,

Gravely concerned about the continuing detrimental impact of the events that have taken place since 28 September 2000, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in thousands of deaths and injuries, the widespread destruction of property and vital infrastructure and the internal displacement of civilians,

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[1] United Nations, *Treaty Series*, vol. 75, No. 973.

[2] Resolution 217 A (III).

[3] See resolution 2200 A (XXI), annex.

[4] See A/ES-10/273 and Corr.1.

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[5] and the relevant reports of the Secretary-General,[6]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993 [7] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Expressing the hope that the Israeli occupation will be brought to an early and complete end and that therefore the violation of the human rights of the Palestinian people will cease, and recalling in this regard its resolution 58/292 of 6 May 2004,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Reiterates its demand* that Israel, the occupying Power, cooperate, in accordance with its obligations as a State Member of the United Nations, with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;

4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, as a result of unlawful Israeli practices and measures, and especially condemns all illegal Israeli settlement activities and the construction of the wall, as well as the excessive and indiscriminate use of force against the civilian population, including extrajudicial executions;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment of the thousands of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

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[5] See A/62/360.

[6] A/62/330-334.

[7] A/48/486-S/26560, annex.

8. *Requests* the Secretary-General:

(*a*) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate Israeli policies and practices referred to in the present resolution;

(*b*) To continue to make available such staff as may be necessary to assist the Special Committee in the performance of its tasks;

(*c*) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(*d*) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(*e*) To report to the General Assembly at its sixty-third session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-third session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

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Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/405)*]

62/107. Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions, including its resolution 61/117 of 14 December 2006,

Recalling also its resolution ES-10/15 of 20 July 2004,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the Regulations annexed to the Hague Convention IV of 1907,[1] the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] and relevant provisions of customary law, including those codified in Additional Protocol I[3] to the four Geneva Conventions,[4]

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[5] and the relevant reports of the Secretary-General,[6]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

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[1] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[2] United Nations, *Treaty Series*, vol. 75, No. 973.

[3] Ibid., vol. 1125, No. 17512.

[4] Ibid., vol. 75, Nos. 970-973.

[5] See A/62/360.

[6] A/62/330-334.

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[7] and also recalling General Assembly resolution ES-10/15,

Noting in particular the Court's reply, including that the Fourth Geneva Convention[2] is applicable in the Occupied Palestinian Territory, including East Jerusalem, and that Israel is in breach of several of the provisions of the Convention,

Noting the convening, on 15 July 1999, of a Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure respect thereof in accordance with article 1 common to the four Geneva Conventions, and stressing the importance of the Declaration adopted by the reconvened Conference on 5 December 2001 and the need for the parties to follow up the implementation of the Declaration,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions[4] and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004,[7] to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions adopted by the General Assembly at its tenth emergency special session, including resolution ES-10/15, with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-third session on the implementation of the present resolution.

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[7] See A/ES-10/273 and Corr.1.

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Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/405)*]

62/108. Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution 61/118 of 14 December 2006, as well as those resolutions adopted at its tenth emergency special session,

Recalling also relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981 and 904 (1994) of 18 March 1994,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

Considering that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention[1] and relevant provisions of customary law, including those codified in Additional Protocol I[2] to the four Geneva Conventions,[3]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[4] and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

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[1] United Nations, *Treaty Series*, vol. 75, No. 973.

[2] Ibid., vol. 1125, No. 17512.

[3] Ibid., vol. 75, Nos. 970-973.

[4] See A/ES-10/273 and Corr.1.

Noting that the International Court of Justice concluded that "the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law",[5]

Taking note of the recent report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[6]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993 [7] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[8] and noting specifically its call for a freeze on all settlement activity,

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the exploitation of natural resources and other illegal actions against the Palestinian civilian population,

Bearing in mind the detrimental impact of Israeli settlement policies, decisions and activities on efforts to achieve peace in the Middle East,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties, and concerned particularly about Israel's construction and expansion of settlements in and around Occupied East Jerusalem, including its so-called E-1 plan, aimed at connecting its illegal settlements around and further isolating Occupied East Jerusalem, and in the Jordan Valley,

Expressing grave concern also about the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern in particular about the route of the wall in departure from the Armistice Line of 1949, which is causing serious humanitarian hardship and a serious decline of socio-economic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Palestinian Territory and could prejudge future negotiations and make the two-State solution physically impossible to implement,

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Reiterating its opposition to settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and to any activities involving the confiscation of land, the disruption of the livelihood of protected persons and the de facto annexation of land,

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[5] Ibid., advisory opinion, para. 120.

[6] See A/62/275.

[7] A/48/486-S/26560, annex.

[8] S/2003/529, annex.

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Gravely concerned about the dangerous situation resulting from violent actions taken by the illegal armed Israeli settlers in the occupied territory,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map,

Taking note of the relevant reports of the Secretary-General,[9]

1. *Reaffirms* that the Israeli settlements in the Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Notes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map[8] and the need for the parties to speedily resolve all remaining issues in the Gaza Strip;

4. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

5. *Reiterates its demand* for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant resolutions of the Security Council, including resolution 465 (1980);

6. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;[4]

7. *Stresses* the need for full implementation of the relevant resolutions of the Security Council regarding the Israeli settlements, including Security Council resolution 904 (1994), in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

8. *Reiterates its calls* for the prevention of all acts of violence and harassment by Israeli settlers, especially against Palestinian civilians and properties;

[9] A/62/330-334 and A/62/360.

9. *Requests* the Secretary-General to report to the General Assembly at its sixty-third session on the implementation of the present resolution.

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Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/405)*]

62/109. Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling its relevant resolutions, including resolution 61/119 of 14 December 2006, as well as those adopted at its tenth emergency special session,

Recalling also the relevant resolutions of the Commission on Human Rights and the Human Rights Council,

Bearing in mind the relevant resolutions of the Security Council, and stressing the need for their implementation,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[1] and the report of the Secretary-General,[2]

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,[3]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[4] and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting in particular the Court's reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

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[1] See A/62/360.

[2] A/62/334.

[3] A/HRC/5/11 and A/62/275.

[4] See A/ES-10/273 and Corr.1.

Recalling the International Covenant on Civil and Political Rights,[5] the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child,[6] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[7] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Reaffirming that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm El-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[8]

Stressing also the need for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of settlements therein as a step towards the implementation of the road map,

Expressing grave concern about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force, the use of collective punishment, the reoccupation and closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of the wall inside the Occupied Palestinian Territory in departure from the Armistice Line of 1949, the destruction of property and infrastructure, and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

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[5] See resolution 2200 A (XXI), annex.

[6] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[7] Ibid., vol. 75, No. 973.

[8] S/2003/529, annex.

Gravely concerned about the military actions that have been carried out since 28 September 2000 and that have led to thousands of deaths among Palestinian civilians, including hundreds of children, and tens of thousands of injuries,

Expressing deep concern about the continuing deterioration in the humanitarian and security situation in the Gaza Strip, including that resulting from the Israeli military actions against civilian areas, air raids and the prolonged closure of crossings into and out of the Gaza Strip, as well as from the firing of rockets into Israel and the negative impact of the events of June 2007 leading to the unlawful takeover of Palestinian Authority institutions in the Gaza Strip,

Expressing deep concern also about the vast destruction caused by the Israeli occupying forces, including of religious, cultural and historical sites, of vital infrastructure and institutions of the Palestinian Authority, and of agricultural land throughout Palestinian cities, towns, villages and refugee camps, and expressing deep concern about the short- and long-term detrimental impact of such destruction on the socio-economic and humanitarian conditions of the Palestinian civilian population,

Expressing deep concern further about the Israeli policy of closures, severe restrictions, and a permit regime that obstruct the movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and about the consequent violation of the human rights of the Palestinian people and negative impact on their socio-economic situation, which remains that of a dire humanitarian crisis,

Concerned in particular about the continued establishment of Israeli checkpoints in the Occupied Palestinian Territory, including East Jerusalem, and the transformation of several of these checkpoints into structures akin to permanent border crossings inside the Occupied Palestinian Territory, which are severely impairing the territorial contiguity of the Territory and severely undermining efforts and aid aimed at rehabilitating and developing the Palestinian economy,

Expressing deep concern that thousands of Palestinians, including hundreds of children and women, continue to be held in Israeli prisons or detention centres under harsh conditions that impair their well-being, and expressing concern about the ill treatment and harassment of any Palestinian prisoners and all reports of torture,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilian population and to help the parties implement the agreements reached and, in this regard, recalling the positive contribution of the Temporary International Presence in Hebron,

1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949 and cease immediately all measures and actions taken in violation and in breach of the Convention, including all of its settlement activities and the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem;

3. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, which have caused extensive loss of life and vast numbers of injuries, including among children, massive destruction of homes, properties, agricultural lands and vital infrastructure, and internal displacement of civilians;

4. *Expresses grave concern* at the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

5. *Notes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;

6. *Calls upon* Israel, the occupying Power, in this regard, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

7. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, including the extrajudicial executions, and that it respect human rights law and comply with its legal obligations in this regard;

8. *Calls upon* Israel, the occupying Power, to release all remaining tax revenues due to the Palestinian Authority, in accordance with the Paris Economic Protocol of 1994, to cease its imposition of closures and restrictions on movement, and, in this regard, to implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005;

9. *Acknowledges* the role the Temporary International Mechanism has played in assisting the Palestinian people directly;

10. *Urges* Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socio-economic and humanitarian situation being faced by the Palestinian people, particularly in the Gaza Strip;

11. *Emphasizes* the need to preserve the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of Palestinian civil, political, economic, social and cultural rights;

12. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice and as demanded in resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socio-economic living conditions of the Palestinian people;

13. *Stresses* the need for respect for the unity and territorial contiguity and integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory,

including movement into and from East Jerusalem, into and from the Gaza Strip, and to and from the outside world;

14. *Requests* the Secretary-General to report to the General Assembly at its sixty-third session on the implementation of the present resolution.

75th plenary meeting
17 December 2007

General Assembly

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Sixty-second session
Agenda item 33

Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/62/405)*]

62/110. The occupied Syrian Golan

The General Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[1]

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the most recent of which was resolution 61/120 of 14 December 2006,

Having considered the report of the Secretary-General submitted in pursuance of resolution 61/120,[2]

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

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[1] See A/62/360.

[2] A/62/331.

[3] United Nations, *Treaty Series*, vol. 75, No. 973.

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-third session on the implementation of the present resolution.

75th plenary meeting
17 December 2007